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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CIVIL. NO. 03-00571 SPK LEK
)	
Plaintiff,	)	UNITED STATES' MOTION TO
	)	STRIKE CLAIMANT MICHAEL
vs.	)	ELLIOT'S CLAIM AND ANSWER;
	)	MEMORANDUM IN SUPPORT OF
SIXTEEN THOUSAND NINE HUNDRED	)	UNITED STATES' MOTION TO
DOLLARS (\$16,900.00) IN UNITED	)	STRIKE CLAIMANT MICHAEL
STATES CURRENCY; ONE THOUSAND	)	ELLIOT'S CLAIM AND ANSWER;
SIX HUNDRED DOLLARS	)	EXHIBITS "A"-"C"; CERTIFICATE
(\$1,600.00) IN UNITED STATES	)	OF SERVICE
CURRENCY; AND ONE WHITE 2003)	
NISSAN XTERRA BEARING HAWAII)	
LICENSE PLATE NUMBER NBJ748)	
AND VEHICLE IDENTIFICATION)	
NUMBER 5N1ED28Y23C642072,)	
)	
Defendants.)	
)	
)	
BASHO ELLIOT, MICHAEL ELLIOT,)	
LIANE RENEE CURTISS,)	
)	
Claimants.)	
)	

UNITED STATES OF AMERICA'S MOTION TO
STRIKE CLAIMANT MICHAEL ELLIOT'S CLAIM AND ANSWER

Pursuant to Rule G(8)(c) of the Supplemental Rules for
Admiralty or Maritime Claims and Asset Forfeiture Actions,

Plaintiff United States of America hereby moves this Court for an order striking the claim and answer filed herein by Claimant Michael Elliot for lack of standing or the entry of a judgment on the pleadings against Claimant Michael Elliot and in favor of the United States.

This motion is brought pursuant to Rule G(8)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and Rule 12(c) of the Federal Rules Civil Procedure, and is based upon the pleadings and the record to date, the attached memorandum, exhibits, and such other matters as may be presented to this Court.

DATED: May 9, 2008, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Rachel S. Moriyama
RACHEL S. MORIYAMA
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date noted below, a true and correct copy of the United States' Motion to Strike Claimant Michael Elliot's Claim and Answer; Memorandum in Support of United States' Motion to Strike Claimant Michael Elliot's Claim and Answer; Exhibits "A"-"C" was served upon the following counsel by U. S. mail, first class, postage prepaid and by facsimile:

MICHAEL JAY GREEN, ESQ.
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Attorneys for Claimant
MICHAEL ELLIOT

DATED: May 9, 2008, at Honolulu, Hawaii.

/s/ La-Dell VanDeren

LA-DELL VANDEREN